

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE DISTRICT OF SOUTH CAROLINA
COLUMBIA DIVISION

UNITED STATES OF AMERICA)	CR. NO.: 3:08-590 (CMC)
)	
-vs-)	
)	MOTION FOR REDUCTION
)	OF SENTENCE
VICENTE SEPULVEDA, JR.)	(U.S.S.G. AMENDMENT 782)

The defendant, Vicente Sepulveda, Jr., through counsel, moves the court to reduce his sentence pursuant to 18 U.S.C. §3582(c)(2) and retroactive Guideline Amendment 782, effective November 1, 2014.

The defendant pled guilty to one count Conspiracy to Distribute Cocaine and Marijuana in violation of 18 U.S.C. §371 and was sentenced to 60 months. Under the new amendment, the base offense level for cocaine and marijuana from the applicable drug table at the original sentencing was reduced. The defendant can now be considered for a reduction of the guideline range based on drug tables set out in the amendment.

The defendant's original range was 70 - 87 months based on a total Offense Level of 25, Criminal History III; however, he had a maximum penalty of 60 months. The new guideline range based on Amendment 782 is 57 - 71 months, Offense Level 23, Criminal History III, as verified by a sentence reduction report from the United States Probation Office. However, because the defendant pled to an offense with a 5 year maximum, the new range is 57 - 60 months. The defendant would request a sentence at the low end of that range, 57 months. Should the resulting sentence be less than time

already served, the new sentence should be for time served. Pursuant to United States Sentencing Guidelines §1B1.10(e), the effective date of this sentencing reduction shall be November 1, 2015.

This motion is being filed with the consent of the Government.

Respectfully submitted,

s/ALLEN B. BURNSIDE

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November 12, 2015

I SO CONSENT:

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By: s/ JULIUS NESS RICHARDSON
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